

ZB# 70-26

Edward Jollie

(no SBL)

70-26

Edward

Jollie

Feb 11/20/70
9:00 AM

**PUBLIC NOTICE
OF HEARING BEFORE
THE ZONING BOARD
OF APPEALS**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 26
Request of Edward & Olive Jollie for a Variance of the regulations of the Zoning Ordinance, to permit a building to be erected on a lot less than 40,000 sq. feet in a G1 Zone being a Variance of Article IV Section 48-14, for property owned by him, situated as follows: River Road, Town of New Windsor, bounded on the south by lands now of Edward & Olive Jollie; on the west by lands now or formerly of Tubbs; on the north by lands now or formerly of Roos and on the east by lands of Affron Tank Terminals.

SAID HEARING will take place on the 16th of November, 1970, at the New Windsor Town Hall, 555 Union Ave., beginning at 8 o'clock P.M.

PATRICIA DELIO,
Secretary

Nov. 6

**State of New York
County of Orange, ss:**

Hugh V. Nocton , being duly sworn deposes and says that he is Principal Clerk..... of Newburgh-Beacon News Co., Inc., Publisher of The Evening News. a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published

One Time

..... 6th
in said newspaper, commencing on the day of
November A.D., 19⁷⁰ , and ending on
the 6th day of November A.D., 19⁷⁰

Subscribed and sworn to before me this
..... 6th day of November 19..... 70

Hugh V. Nocton
Patricia Delio

.....
Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1971



Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 70-26
Date: October 22 19 70

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (We) EDWARD and OLIVE JOLLIE of 32 Willow Lane
(Street & number)

New Windsor

New York

HEREBY MAKE

(State)

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY River Road - New Windsor, General Industry
(Street & number) (Use district on Zoning Map)
- B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: 48-32 B and 48-33)

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because:

Neighboring lands had existing structures before applicant's
premises and neighboring lands were zoned GENERAL INDUSTRY.

2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: The area is almost entirely occupied by Industrial
and Commercial enterprises and applicant's land is not suitable for
use other than planned.

3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: All surrounding property owners were in title and
possession prior to ordinance adoption, i. e., applicant did not
cut down his property size by sale of any portion. Premises have
been of instant size for more than 30 years.

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: as above noted, the general area is almost entirely

industrial and commercial.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: Nature of use - as hereinbelow set forth -
will not be detrimental to the neighborhood.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

One story building - 30' x 60' for retail sale of roofing
materials and supplies.

- E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount decided by the Board. Application to be returned to: Secretary of the Zoning Bd. of Appeals.

- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the Ordinance.

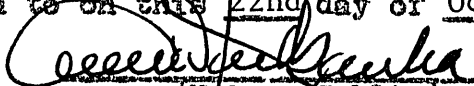
- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239m of the General Municipal Law to see if it applies. If so, notify the Orange County Planning Bd.

Dated: October 22, 1970

STATE OF NEW YORK)
COUNTY OF ORANGE)

SS

Sworn to on this 22nd day of October 1970



(Notary Public)

Notary Public in the State of New York

Residence on Appointment — Orange County

Notary Public Expires March 31, 1972

DO NOT WRITE IN THIS SPACE



Signature of Applicant

Edward Jollie

32 Willow Lane

Address

New Windsor, New York 12550

562-8212

Telephone No.

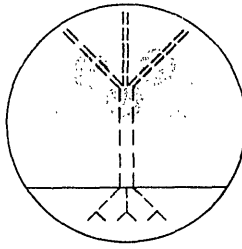
Application No.
Date of Hearing
Date of Decision

Date Received
Notice Published

DECISION:

Department of Planning

Peter Garrison, A.I.P., Commissioner
Edwin J. Garling, A.I.P., Deputy Commissioner



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

November 2, 1970

Mrs. Louise A. Budney, Chairman
Town of New Windsor Zoning Board
of Appeals
16 Veronica Avenue
New Windsor, New York 12550

Re: Application for Area Variance by Edward Jollie,
Retail sale of roofing materials, between
River Road and Silver Spring Road

Dear Mrs. Budney:

This office is in receipt of a copy of the above-cited application pending before your Board, together with a site development plan (but minus the County review status sheet which we require to accompany each referral).

This matter has been reviewed by our staff, with the following comments:

1. The use proposed is a permitted one within the G. I. District (because allowed within the O.L.I. District) subject to site plan approval by the Planning Board.
2. The area of the site is deficient by approximately half. The minimum lot size for a use within the G.I. District being 40,000 square feet. The property also fails to measure the required 150 feet in depth.

However, since the creation of the parcel predates the enactment of the ordinance, and the proposed use seems reasonable to the size of the parcel, we conclude that we have no objection to the applied for variance.

- Mrs. Louise A. Budney, Chairman

November 2, 1970

- Page 2 -

Should your local board concur, the applicant must next present his site plan to the Town of New Windsor Planning Board, which must, in turn, submit it for review to the Hudson River Commission (which also has jurisdiction).

Therefore, acting under Section 239, L and M, Article 12-B of the General Municipal Laws of the State of New York, County approval is hereby granted.

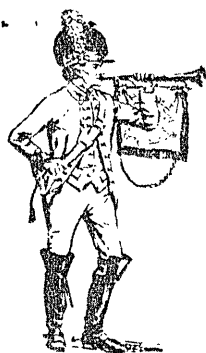
Very truly yours,



Peter Garrison
Commissioner of Planning
PG:mj

cc: Edward Jollie
Joseph Tallarico
Hudson River Valley Commission

Enclosure



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

October 24, 1970

Mr. Edward Jollie
32 Willow Lane
New Windsor, New York 12550

Dear Sir:

According to my records, the attached list of property owners are within the five hundred (500) feet of the property you inquired about.

The charge for this service is \$15.00. Please remit same to me, c/o the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York 12550, making the check payable in my name.

Respectfully,

Ellsworth E. Weyant, pt
ELLSWORTH E. WEYANT
Chairman
Board of Assessors
Town of New Windsor

EEW:pt
Enc.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Mr. Edward Jollie

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

✓ Stanley Masloski
MD #14 River Road
✓ Newburgh, New York 12550 ✓

✓ Affron Tank Terminals, Inc.
✓ River Road, MD 14
New Windsor, New York 12550 ✓

✓ Joseph A. & Marion C. Duquette
Box 2302
✓ Newburgh, New York 12550 ✓

✓ Agnes M. Haines
✓ Silver Stream Road
✓ New Windsor, New York 12550 ✓

✓ Ralph & Jeannie Roos
✓ River Road, MD #14
✓ Newburgh, New York 12550 ✓

✓ ~~John H. & Hildegard M. Frost~~
✓ ~~River Road, MD #14~~
✓ ~~New Windsor, New York 12550~~ ✓

✓ John Babcock
✓ 12 Blanche Avenue
✓ New Windsor, New York 12550 ✓

✓ Francis G. Coleman
✓ Little Britain Road, RD #2
✓ New Windsor, New York 12550 ✓

✓ Cities Service Oil Co.
✓ Real Estate Dept.
✓ 70 Pina St.
New York, New York

✓ Richard & Marion F. Sheflin
✓ River Road, MD #14
✓ New Windsor, New York 12550 ✓

✓ John Obrien
✓ MD #14, Cullen Avenue
✓ New Windsor, New York 12550 ✓

✓ Mary Murray
✓ MD #14, Cullen Avenue
✓ Newburgh, New York 12550 ✓

✓ Newburgh Oil Company, Inc.
✓ P. O. Box 349
✓ Newburgh, New York 12550 ✓

✓ William Elwood, Jean Tubbs
✓ Silver Spring Road
✓ Newburgh, New York 12550 ✓

Respectfully submitted,

Ellsworth E. Weyant, pt
ELLSWORTH E. WEYANT
Chairman
Board of Assessors
Town of New Windsor

EEW:pt



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

November 4, 1970

Mr. Edward Jollie
32 Willow Lane
New Windsor, New York 12550

Dear Mr. Jollie:

Enclosed please find your copy of the map of
your property and surrounding lands.

In regard to the property formerly owned by
John and Hildegard Frost, please be advised that the
new owners of this land are Jose E. & Rita M. Rivera,
River Road, M.D. #14, New Windsor, New York.

Yours truly,

Ellsworth E. Weyant
Ellsworth E. Weyant *cg*
Chairman,
Board of Assessors

EEW/cg
Encls.

11/16/70

8 p.m. - Public Hearing

Application # 70-26 - Jollie, Edward & Olive

Spectators:

Name	Address
William E Tabb	
Jean Taffer	19 Silver Spring Rd,

*Zoning Board
of Appeals*

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date *Oct 15*, 19*70*

To *Edward J. ...*
32 Union Ave.
New Windsor

T. # 7

PLEASE TAKE NOTICE that your application dated *Oct 15*, 19*70*
for permit to *Store & Display, Retail Sales*
at the premises located at *River Road*

is returned herewith and disapproved on the following grounds:

48-12-B(6)-011 page 4831 code book permits sales
of building material - since this is a roofing
supply operation the retail sales may be a permitted
use -

James R. ...
Building Inspector

48-12-B(6)-011 page 4831 code book permits sales
of building material - since this is a roofing
supply operation the retail sales may be a permitted
use -
011 is permitted in a GI district - 4813 B(1) page 4834
of code book

7 Franklin Ave.
New Windsor, N. Y. 12550
November 22, 1970

Howard Collett, Bldg. Inspector
Town of New Windsor
Town Hall - 555 Union Ave.
New Windsor, N.Y. 12550

Re: Application No. 70-26

Dear Mr. Collett:

Please be advised that the above application for a variance of Edward and Olive Jollie has been approved by the Zoning Board of Appeals at a meeting held on Monday, November 16, 1970.

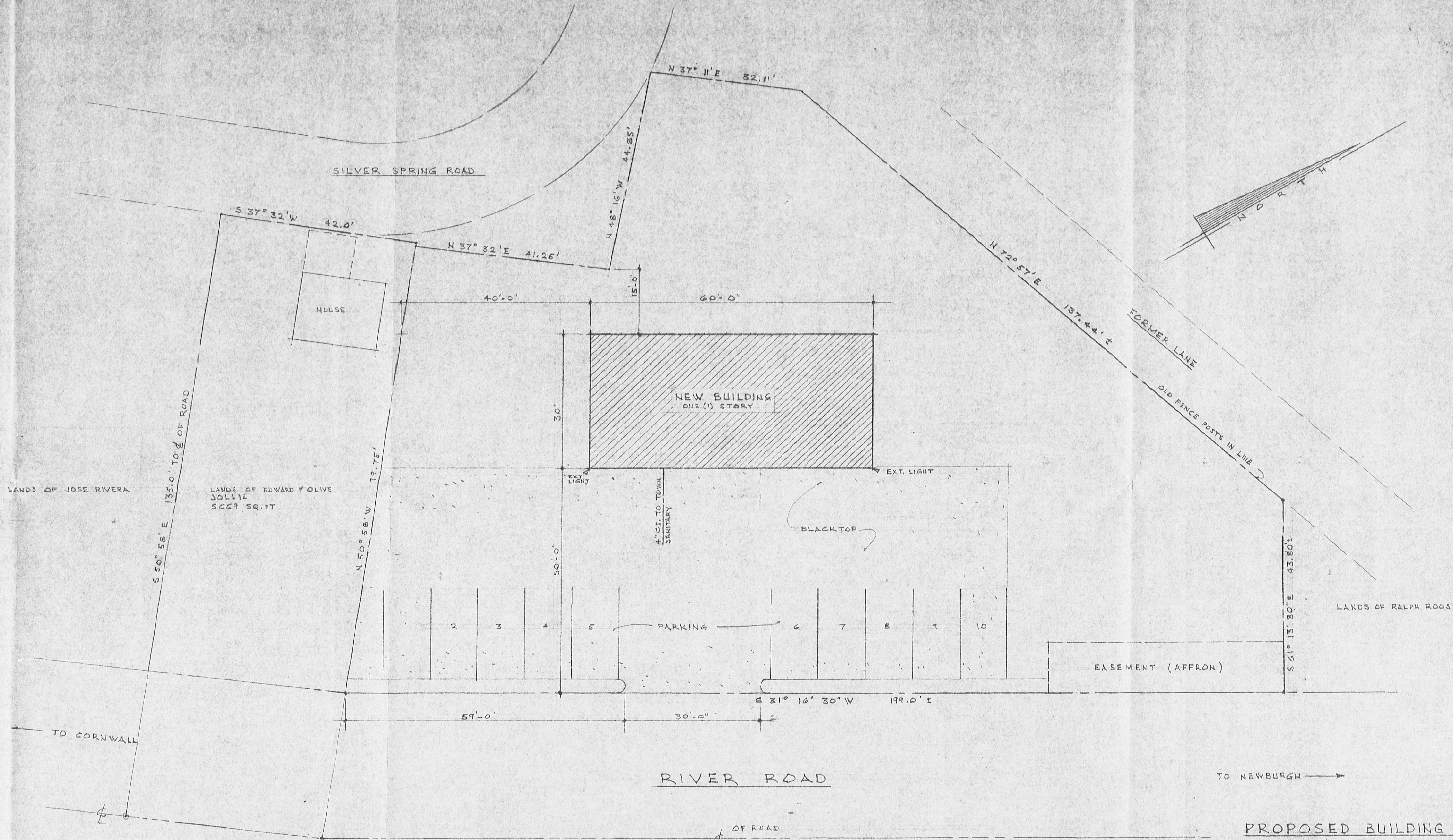
Yours very truly,

Patricia Dello,
Secretary

cc: Mr. and Mrs. Edward Jollie
32 Willow Lane
New Windsor

Theodore F. Marsden, Supervisor

JOLIE Application# 20-26



SITE PLAN
SCALE: 1" = 10'-0"
SITE PLAN IS BASED ON A SURVEY
BY THEODORE JARGSTORFF, L.S.
AREA: 19,150 SQ. FT.

**PROPOSED BUILDING FOR
EDWARD & OLIVE JOLLIE**
RIVER ROAD TOWN OF NEW WINDSOR, N.Y.
JAY S. KLEIN - ARCHITECT
11 GARDEN DRIVE - NEWBURGH, N.Y.
AUG. 12, 1970 PROJ. NO. 45-70



S-1